

ZONING CHANGE REVIEW SHEET**CASE:** C14-2018-0149 – MLK Rezoning**DISTRICT:** 1**ZONING FROM:** SF-3-NP**TO:** SF-5-CO-NP, as Amended**ADDRESS:** 3300 and 3302 East Martin Luther King, Jr. Boulevard**SITE AREA:** 0.47 Acres**PROPERTY OWNERS:**
Deborah Boatner**AGENT:**
Hector Avila**CASE MANAGER:** Heather Chaffin (512-974-2122, heather.chaffin@austintexas.gov)**STAFF RECOMMENDATION:**

Staff supports the Applicant's request to rezone the property from SF-3-NP to SF-5-CO-NP. The conditional overlay (CO) establishes a maximum of six dwelling units on the property. For a summary of the basis of staff's recommendation, see case manager comments on page 2.

PLANNING COMMISSION ACTION / RECOMMENDATION:

April 9, 2019:

March 26, 2019: TO GRANT POSTPONEMENT TO APRIL 9, 2019 AS REQUESTED BY PLANNING COMMISSION, ON CONSENT (10-0). [P. Seeger- 1st, G. Anderson- 2nd; A. De Hoyos Hart, T. Shaw, and J. Shieh- Absent]

CITY COUNCIL ACTION:

April 25, 2019:

ORDINANCE NUMBER:

ISSUES:

The Applicant originally requested to rezone from SF-3-NP to SF-6-NP but has amended the request to SF-5-CO-NP. The Applicant has agreed to a conditional overlay limiting the property to a maximum of six dwelling units.

Neighboring property owners have submitted a Valid Petition request. The petition currently stands at 20.95%, meeting the 20% threshold to require a super majority vote by City Council at 3rd reading. *Please see Exhibit C—Valid Petition.*

CASE MANAGER COMMENTS:

The subject tract is located at the northeast corner of East Martin Luther King, Jr. Boulevard (MLK) and Tillery Street. The property is zoned SF-3-NP and contains one vacant single family house. To the immediate north and east are more single family residences that are zoned SF-3-NP. Further east is J.J. Seabrook Greenbelt Park, which is zoned P-NP. Across Tillery Street to the west is a medical clinic and retail store that are zoned CS-MU-NP. Further west are more commercial properties that are zoned TOD-NP, including a salon, restaurants and retail. To the northwest are residences zoned SF-3-NP. Across MLK to the south are more residences zoned SF-3-NP. To the southwest are commercial uses zoned GR-MU-NP and TOD-NP. Uses include Automotive repair, Automotive washing, and restaurants. To the southeast is undeveloped land zoned SF-6-CO-NP and land zoned SF-3-NP developed with religious assembly land use. *Please see Exhibits A and B—Zoning Map and Aerial Exhibit.*

Neighboring property owners have submitted a Valid Petition request. The petition currently stands at 20.95%, meeting the 20% threshold to require a super majority vote by City Council at 3rd reading. Other correspondence has also been received in opposition to the rezoning request. *Please see Exhibit D— Correspondence.*

Staff supports the Applicant's SF-5-CO-NP rezoning request. The 0.47 acre tract is located at the edge of a residential neighborhood where it meets a much more intense commercial area. The Applicant proposes building a maximum of six dwelling units on the site, only two more than currently permitted under SF-3-NP. SF-5-CO-NP zoning can provide a transition between these differing areas and provide housing options beyond SF-3. Additionally, the future land use map has designated these lots as higher density single family, which is suitable for SF-5 zoning.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Urban family residence (SF-5) district is the designation for a moderate density single-family residential use on a lot that is a minimum of 5,750 square feet. A duplex, two-family, townhouse, or condominium residential use is permitted in an SF-5 district under development standards that maintain single family neighborhood characteristics. An SF-5 district designation may be applied to a use in an existing family residential neighborhood in a centrally located area of the City. An SF-5 district may be used as a transition between a

single family and multifamily residential use or to facilitate the implementation of City affordable housing programs.

2. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

SF-5-NP zoning will permit higher density residential development than SF-3-NP and will allow a wider variety of housing types (detached residential, duplex, condominium, etc.)

3. *Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.*

SF-5-NP will create a transition between the CS-MU-NP, GR-MU-NP and TOD-NP properties to the west and the SF-3-NP, P-NP and SF-6-CO-NP properties to the east.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-3-NP	Single family residential
North	SF-3-NP	Single family residential
South	SF-3-NP, GR-MU-NP, TOD-NP, SF-6-NP	Single family residential, Automotive repair services, Car wash, fast food restaurant, Undeveloped, Religious assembly
East	SF-3-NP, P-NP	Single family residential, Public park
West	CS-MU-NP, TOD-NP	Medical office, Retail, Personal services, Fast food restaurant

NEIGHBORHOOD PLANNING AREA: East MLK Combined

TIA: N/A

WATERSHED: Tannehill Branch

NEIGHBORHOOD ORGANIZATIONS:

Austin Neighborhood Council
 Black Improvement Association
 Neighborhood Empowerment Foundation
 Friends of Austin Neighborhoods
 East MLK Combined Neighborhood Contact Team
 Homeless Neighborhood Association
 Homeless Neighborhood Association
 Martin Luther King, Jr. Neighborhood Association
 Friends of Austin Neighborhoods
 J.J. Seabrook Neighborhood Association
 Claim Your Destiny Foundation

Austin Inncity Alliance
 AISD
 Bike Austin
 SELTexas
 Neighbors United for Progress
 East Austin Conservancy
 Del Valle Community Coalition
 Preservation Austin
 Anderly Airport Association
 Sierra Club

AREA CASE HISTORIES:

CITY FILE # / NAME	ZONING FROM & TO	PLANNING COMMISSION	CITY COUNCIL
C14-2016-0025 3417 E. MLK	SF-3-NP to SF-6-NP	Max 72 d.u., Emergency access only to E. 17 th St.	9/22/2019: Ord 201609065, SF-6-CO-NP
C14-2008-0243.SH 3522 E. MLK	SF-6-NP to MF-2-NP	MF-2-CO-NP Max 2,000 vehicles/day, max 22 d.u.	03/12/2009: Approve Ord No. 20090312-042, MF-2-CO-NP 9/22/2019
C14-2008-0031 MLK TOD	Various to TOD-NP	TOD-NP	03/12/2009: Approve Ord No. 20090312-027, TOD-NP

RELATED CASES: The MLK Neighborhood Plan and associated rezonings were approved by Council on November 7, 2002 (C14-02-0142.003— Ordinance No. 021107-Z-12c). The MLK NPA was later incorporated into the East MLK Combined NPA. The FLUM designation on this site is Mixed Residential, so a neighborhood plan amendment is not required.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Tillery Street	50'	30'	Collector	No	Yes, wide curb lane	Yes
MLK Jr Boulevard	95'	65'	Arterial	Yes	Yes, shared lane	Yes

OTHER STAFF COMMENTS:ENVIRONMENTAL

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Tannehill Branch Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

SITE PLAN

SP 1. Site plans will be required for any new development other than single-family or duplex residential.

SP 2. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

SP 3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

TRANSPORTATION

TR1. Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.

TR2. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC 25-6-113]. A neighborhood traffic analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 300 vehicle trips per day. [LDC 25-6-114].

TR3. This project is adjacent to a street that has been identified in Austin's Corridor Mobility Program (Martin Luther King Boulevard). The sidewalk and bicycle facilities shall comply with the required cross-section for MLK Boulevard at the time of the site plan application. At this time, this section of the corridor is in the preliminary engineering phase. The cross section should match the identified improvements within the existing transportation plans.

TR6. Per LDC 25-6-381, access to Martin Luther King Boulevard is prohibited since alternative access is available to Tillery Street. Additionally, per TCM 1.3.2.C.1, single family residences should not normally front arterials (MLK Boulevard). It is recommended that the applicant provide joint access for the two tracts to Tillery Street.

TR7. Janae Spence, Urban Trails, Public Works Department, Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

TR8. The Urban Trails Master Plan recommends a tier II urban trail along MLK Boulevard. Per the Urban Trails Program, it is recommended to replace the existing sidewalk with a 10-foot shared use path with 5-foot setback from the roadway (per design considerations from the 2014 Urban Trails Plan). This is an important connection as it would facilitate connectivity between a planned neighborhood bikeway on Tillery to the trail along Pershing in addition to future connectivity along MLK. Please review the Urban Trails Master Plan for more information. Janae Spence, Urban Trails, Public Works Department may provide additional comments and requirements for right-of-way dedication and trail construction in accordance with LDC 25-6-55 and LDC 25-6-101.

TR9. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a bike lane is recommended for Tillery Street and a protected bike lane is recommended for Martin Luther King Boulevard. Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-of-way dedication and bicycle facility construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the Bicycle Master Plan for more information.

TR10. FYI – the existing driveway on Tillery Street and the existing sidewalks and curb ramps along MLK Boulevard will be required to be removed and/or reconstructed at the time

of the site plan application in accordance with the Land Development Code and Transportation Criteria Manual. Sidewalks shall be constructed according the City of Austin standards along Tillery Street at the time of the site plan application.

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Tillery Street	50'	30'	Collector	No	Yes, wide curb lane	Yes
MLK Jr Boulevard	95'	65'	Arterial	Yes	Yes, shared lane	Yes

WATER UTILITY

1. The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

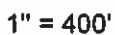
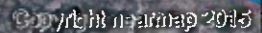
INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Exhibit
- C. Valid Petition
- D. Correspondence



Created: 12/7/2018

$$1'' = 400'$$



- ## MLK REZONING

ZONING CASE#: C14-2018-0149
LOCATION: 3302 E MLK BLVD.
SUBJECT AREA: .47 ACRES
GRID: L23
MANAGER: HEATHER CHAFFIN



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made

PETITION

Case Number:

C14-2018-0149

Date:

4/3/2019

Total Square Footage of Buffer:

240,573.3647

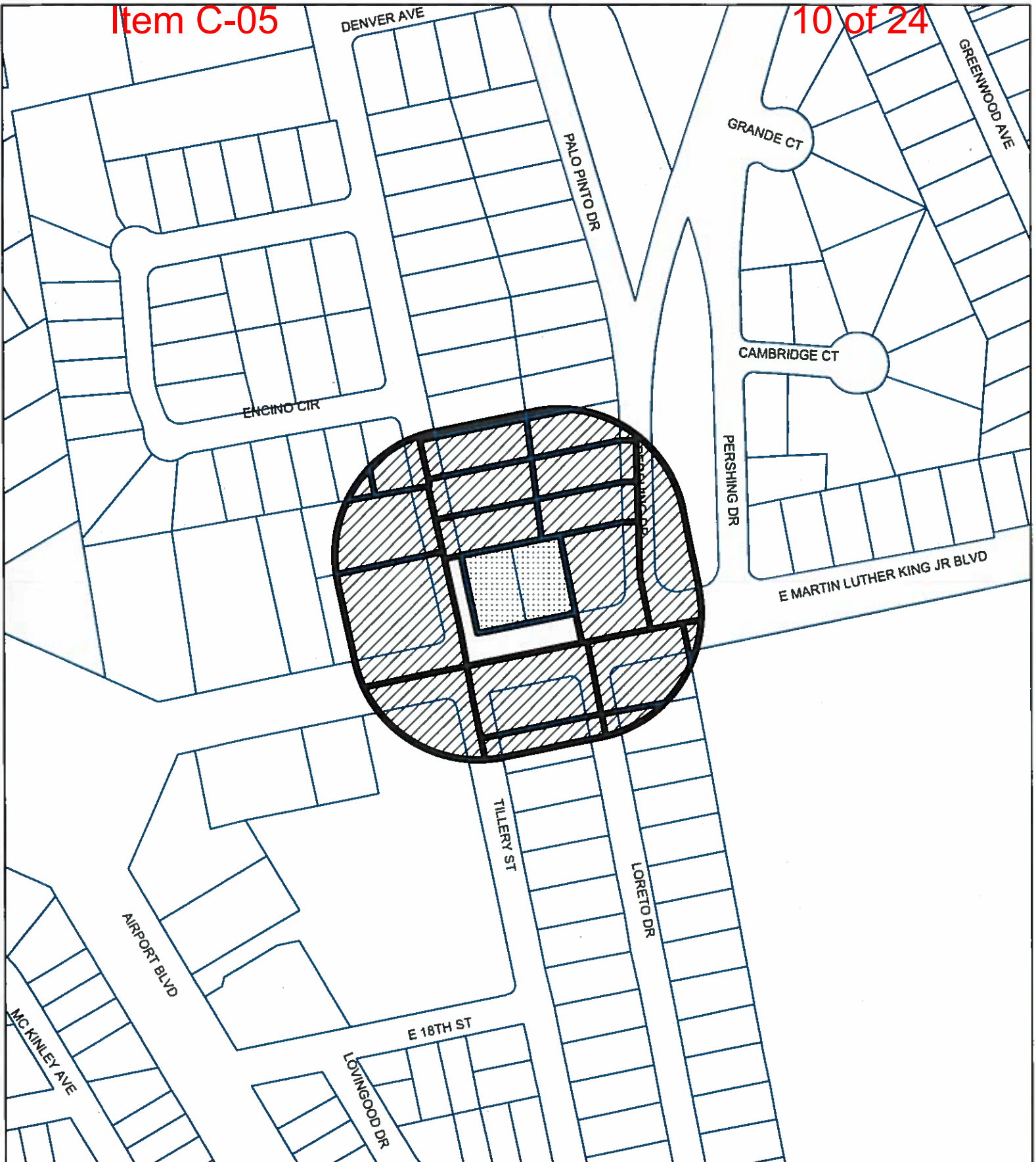
Percentage of Square Footage Owned by Petitioners Within Buffer:

20.95%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.




TCAD ID	Address	Owner	Signature	Petition Area	Percent
0212150237	1916 TILLERY ST AUSTIN 78723	1916 TILLERY	no	17153.62	0.00%
0212150108	1811 AIRPORT BLVD AUSTIN 78702	4015 LIMITED PARTNERSHIP	no	17743.95	0.00%
0212150312	3311 E M L KING JR BLVD 78721	BAKER GY BRETT	yes	17107.32	7.12%
0212150901	3305 E M L KING JR BLVD 78721	BALLAST DONNA & ROBERT JENSEN	no	22755.90	0.00%
0212150902	1812 LORETO DR 78721	BLUE ANCHOR INVESTMENTS LLC	no	7136.17	0.00%
0212150423	1910 PALO PINTO DR 78723	BRANASH INVESTMENTS LLC	no	490.79	0.00%
0212150403	1909 TILLERY ST 78723	BURNETT ARDALIA	no	10754.91	0.00%
0212150601	PALO PINTO DR 78723	CITY OF AUSTIN % REAL ESTATE DIVISION	no	20799.81	0.00%
0212150402	1907 TILLERY ST 78723	DANIELS DUANE L	yes	10789.27	4.49%
0212150226	2002 ENCINO CIR 78723	EPRIGHT ELIZABETH R TRUSTEE EPPRIGHT REVOCABLE LIVING TRUST	no	1085.21	0.00%
0212150424	1908 PERSHING DR 78723	HOUSTON ALICE M REVOCABLE LIVING TRUST	no	8584.81	0.00%
0212150234	1900 TILLERY ST 78723	JAMES JEFFREE A AUSTIN MEDICAL CLINIC EAST	no	31895.28	0.00%
0212150426	1904 PERSHING DR 78723	MCINTOSH LEAH RAMSEY	no	9993.22	0.00%
0212150401	1905 TILLERY ST 78723	MILLER NEAL	yes	10201.00	4.24%
0212150425	1906 PERSHING DR 78723	PATTON GERTRUDE	yes	10794.60	4.49%
0212150404	1911 TILLERY ST 78723	SMITH WILLIAM J	yes	1476.16	0.61%
0212150303	3417 E M L KING JR BLVD 78721	ST JAMES MISSIONARY BAPTIST CHURCH	no	1181.47	0.00%
0212150427	1902 PERSHING DR 78723	TODD CHRISTOPHER PAUL	no	20030.63	0.00%
0212150227	2000 ENCINO CIR 78723	TONCHE MARTIN MORALES & MARTHA MARTHA DEL RIO ORTIZ	no	5831.36	0.00%
0212150311	1813 LORETO DR 78721	TRIDLE LISA	no	2358.99	0.00%
Total				228164.48	20.95%

EXHIBIT
C



N



-  BUFFER
-  PROPERTY_OWNER
-  SUBJECT_TRACT

PETITION

Case#: C14-2018-0149

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



1" = 200'

PETITION TO THE AUSTIN CITY COUNCIL

Date: March 1, 2019

File Number: C14-2018-0149

Address of Rezoning Request: 3302 E. Martin Luther King Blvd. 78723

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than the zoning which has been in place for the parcel.

THE REASONS FOR OUR PROTEST ARE AS FOLLOWS, OR ON ATTACHED SHEETS OF PAPER:

This rezoning request involves two adjacent lots, which will be called "the parcel" in this discussion. The parcel in this rezoning request involves addresses on Martin Luther King, Jr., Blvd., but MLK at that location is actually FM 969. Most significantly, this parcel has no on-street parking whatsoever on MLK. Only one of the lots has any side street "frontage," which is on Tillery Street. The other lot is mid-block. Consequently, off-site parking on Tillery Street for these properties is a major concern.

Many council members may be familiar with a different street in east Austin also called Tillery Street south of Oak Springs, which is a much wider thoroughfare (with bike lanes) that has historically fronted pecan groves and other urban farming types of ventures. An on-the-ground reality check requires us to point out that this parcel is not on that Tillery Street.

Instead, the much narrower Tillery Street which flanks the parcel in question runs north from Airport Blvd. to Manor Road. When the old Robert Mueller Airport was operational folks from other parts of town used this Tillery Street as a shortcut from Airport Blvd. to the airport. Other than that, they would never have known it existed because it runs through the historical J.J. Seabrook Neighborhood.¹ Tillery Street remains a major cut-through street for commuters who drive through

¹ Folks unfamiliar with who Reverend J.J. Seabrook was might want to google his name. However, do not be distracted by the location of J.J. Seabrook Street, which is at a distance from the parcel involved in this rezoning matter.

https://en.wikipedia.org/wiki/John_Jarvis_Seabrook .

John Jarvis Seabrook

From Wikipedia, the free encyclopedia

John Jarvis Seabrook (April 12, 1899 – May 1, 1975) was an African-American pastor and president-emeritus of Huston-Tillotson University. He died May 1, 1975, while arguing before the Austin City Council on the naming of Austin's MLK Jr. Boulevard (formerly "19th Street").^[1] In East Austin, east of Interstate 35 (a region historically populated primarily by minorities^[2]), the street was to be named MLK Jr. Blvd; west of I-35, it would remain 19th Street. Dr. Seabrook wanted there to be a single name in both East and West Austin. While speaking to the council of the need to unite the city, Dr. Seabrook collapsed, suffering a fatal heart attack.

On May 15, 2010, the same council approved naming of the MLK Jr. Boulevard bridge

PETITION OPPOSING REZONING

DATE: March 1, 2019 Rezoning Case Number: C14-2018-0149
Address of parcel: 3302 E. Martin Luther King Blvd. 78723

the neighborhood *en route* from outside the neighborhood to somewhere else.

The Tillery Street frontage for this parcel is also where its driveway enters the property, so there is only enough space for two cars to park there. Due to the fact that the other side of the street has no parking opposite this parcel (due to driveway entrances for the commercial property there), the scarcity of on-street parking abutting the parcel in question is a hot-button issue.

The inadequacy of on-site parking requirements is a consideration in this discussion, and this is especially pertinent at the intersection of Tillery and MLK, which is already a dangerous enough intersection that roadway planners have suggested that it needs to have funds allocated for a traffic light.

Not only is the J.J. Seabrook Neighborhood, in which this parcel is situated, primarily a single-family neighborhood, but so too is the MLK Neighborhood which flanks this parcel on the other side of MLK/969. The requested zoning change is not compatible with the surrounding residential neighborhoods. The existing zoning allows this property to be densified in ways that are remain compatible with the existing neighborhood, and the upgrade should be denied.

DATE: 3/25/2019

CONTACT NAME PRINTED: Neal Miller

Phone Number: 512-569-8551

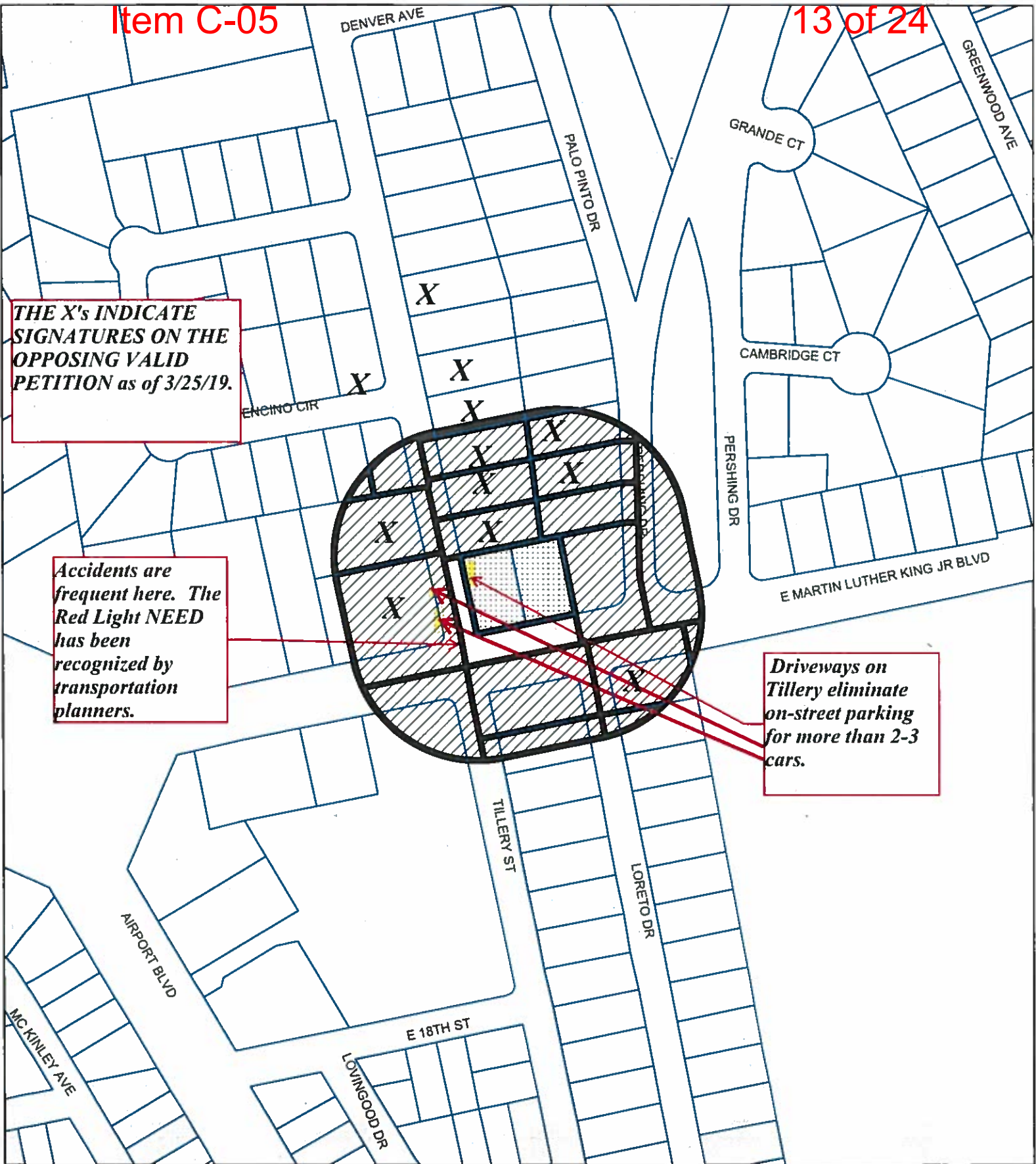
Contact Name Signed: Neal Miller

over I-35 after Seabrook.[3] A \$55,000 scholarship at Huston-Tillotson University has also been set up in Seabrook's name, \$55,000 being the proposed cost of changing the road signs on the former 19th street to MLK Boulevard in 1975. This cost was one of the arguments at the time against changing the name of the road.[4]

THE X's INDICATE SIGNATURES ON THE OPPOSING VALID PETITION as of 3/25/19.




Accidents are frequent here. The Red Light NEED has been recognized by transportation planners.

Driveways on Tillery eliminate on-street parking for more than 2-3 cars.



N



-  BUFFER
-  PROPERTY_OWNER
-  SUBJECT_TRACT

PETITION

Case#: C14-2018-0149

exhibit
from
neighborhood
HC



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 200'

DATE: March 1, 2019 Rezoning Case Number: C14-2018-0149
Address of parcel: 3302 E. Martin Luther King Blvd. 78723

Page 3 of 32

DATE: March 1, 2019 Rezoning Case Number: C14-2018-0149
Address of parcel: 3302 E. Martin Luther King Blvd. 78723

Page 4 of 32

DATE: March 1, 2019 Rezoning Case Number: C14-2018-0149
Address of parcel: 3302 E. Martin Luther King Blvd. 78723

C:\WP Lat\Office\DL\19073302 E. Martin Luther King Blvd\Valid Petition\190224 Austin 3302 E. MLK. valid petition-1b.wpd

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2018-0149

Contact: Heather Chaffin, 512-974-2122

Public Hearing: March 26, 2019, Planning Commission

April 25, 2019, City Council

Duane Daniels
Your Name (please print)

1907 Tillery Street

Your address(es) affected by this application

Duane Daniels 3/25/19
Signature Date

Daytime Telephone: _____

Comments: _____

See attached commentary on
The J.J. Seabrook Neighborhood in 2019

The properties for which this

up zoning is requested have no
on-street parking on M.L.K.

SEE ATTACHED COMMENTARY:

SEE ATTACHED COMMENTARY:
THE J.J. SEABROOK
NEIGHBORHOOD IN 2019

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Heather Chaffin

P. O. Box 1088

Austin, TX 78767-8810

THE J.J. SEABROOK NEIGHBORHOOD IN 2019

Whereas the J.J. Seabrook Neighborhood was historically a solid black neighborhood with extraordinary longevity of residency, it is now perhaps **Austin's best example of a well integrated multi-racial neighborhood, with inter-generational diversity**. The transition has, however, not been stress free. World views of the older generation are, as might be expected, not necessary in sync with the world views of the younger generation. More relevant than race is the class divergence. The old-timers are prototypically retired and living on fixed incomes which have been subverted by inflation and the explosion in Austin's cost of living, whereas the newcomers are often at the front end of high earning careers.

The urban planning references made in the discussion of the instant zoning change are boilerplate, and they all ignore the single most important element of the zoning history of this neighborhood. Its **zoning history is quintessentially "airport appurtenant,"** meaning that the City of Austin superimposed atypically diverse zoning upon this neighborhood when it was first built out in the middle of the last century. When the City of Austin began to plan for building the Robert Mueller Municipal Airport it imposed zoning onto farm fields in anticipation of the future needs of the city airport. Commercial zoning was put in place to allow for future growth of airport related businesses, including on Tillery Street between MLK and Manor Road.

Consequently, **across the street from the parcel at issue in this upzoning request are two properties with long-standing commercial zoning that already stresses the residential character of the street.** For years, the second lot from the corner was a funeral home with inadequate off-street parking, and mourners who were in a hurry to attend services would park in front of residential driveways. Most recently, the occupant of that property is now a cider brewery which wants to have brewery-tour traffic and a tasting room.

In the 1950's when the City of Austin began to plan for building the Robert Mueller Municipal Airport it designed a very unique roadway system for this part of town, one which was put in place to route traffic to and from, and around, the old municipal airport. Abutting the parcels at issue here is a very-busy state highway, FM 969, on which there is no on-street parking. That roadway system has now resulted in this section of Tillery Street being a major cut-through street for urban commuters. **The intersection of Tillery Street and MLK is a high risk intersection, with accidents happening so frequently that the transportation planners have identified a need for a future red light at this intersection.** The unavoidable overflow parking which this project will produce will produce sight-line blocking, tight-to-the-corner, hazard-enhancing parking on Tillery Street.

Another vital component of any discussion about development of this neighborhood is the fact that the **City of Austin is the largest landowner in the neighborhood.** One large city-owned parcel on E.M. Franklin Street on which the Red Cross has a long-term lease is across the street from another parcel which the city has terribly under-utilized ever since the old airport closed.

That most significant parcel which the city owns is **3511 Manor Road.** It is the northern face of

the neighborhood, being what folks see when they exit the Mueller development southbound from Berkman Drive to Manor Road. That parcel was last before this commission and before the City Council over five years ago when the then non-conforming Public Works Department occupancy which violated city law was terminated. At that time the J.J. Seabrook Neighborhood Association adopted a position of encouraging development of part of that parcel for affordable housing. The city's planners have egregiously squandered that opportunity to develop affordable housing on a city-owned parcel. They could not have more brazenly dropped that ball. This commission/council should make inquiry as to which city departments are mis-managing current and future use and development of that parcel.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2018-0149
Contact: Heather Chaffin, 512-974-2122
Public Hearing: March 26, 2019, Planning Commission
April 25, 2019, City Council

LYBRET BAKER

Your Name (please print)

3311 E. M. L. KING JR. BLVD

Your address(es) affected by this application

Lybrett Baker

Signature

Daytime Telephone: *[REDACTED]*

Comments: *NO NE*

Date

3/16/2019

☐ I am in favor
☒ Object

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

mark received 3/21

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2018-0149
Contact: Heather Chaffin, 512-974-2122
Public Hearing: March 26, 2019, Planning Commission
April 25, 2019, City Council

NEAL Miller
Your Name (please print)

☐ I am in favor
☒ I object

1905 Tilley Austin 78723
Your address(es) affected by this application

Neal Miller
Signature
Date 4-1-19

Daytime Telephone: 512-569-8551

Comments:

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2018-0149

Contact: Heather Chaffin, 512-974-2122

**Public Hearing: March 26, 2019, Planning Commission
April 25, 2019, City Council**

Alice Houston

Your Name (please print)

1908 Pershing Dr

Your address(es) affected by this application

Alice M Houston

Signature

3/23/19

Date

Daytime Telephone: _____

Comments: _____

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

Case Number: C14-2018-0126

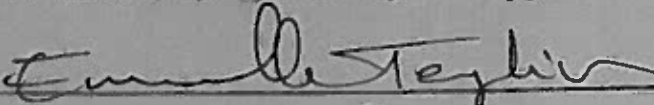
Contact: Heather Chaffin, 512-974-2122

Public Hearing: Apr 02, 2019, Zoning and Platting Commission
Apr. 25, 2019, City Council

MRS. EMMANUELLE TEMPLIN
our Name (please print)

☐ I am in favor
☒ I object

2102
Lamgdale Ln, Austin, TX 78754
our address(es) affected by this application


Signature

04/02/2019
Date

Daytime Telephone: 713-775-0357

Comments: The applicant proposes building 20 units per acre for a total of 600 units on 29.3 acres adjacent to single family districts, yet is proposing district type MF-4 allowing over 1,500 units on the same acreage. Is it not more appropriate to propose MF-2—a multifamily residential area located adjacent to single family neighborhoods? This is not a "centrally located area" as described in §25-2-85, nor "adjacent to the central business district" MF-4 is not warranted.

Further, the traffic impact analysis was waived based on a TIA conducted 17 years ago in 2002. Applicant estimates 4,495 vehicles to enter and exit per day directly onto three lanes of 50 MPH cross-traffic. City staff should reconsider and require a new TIA, as assumptions made 17 years ago in C14T-02-0001 likely do not reflect the true situation of Austin traffic today.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Heather Chaffin

P.O. Box 1088

Austin, TX 78767-8810

Case Number: C 14 2018-0126

Contact: Heather Chaffin, 512-974-3133

Public Hearing: Apr 03, 2019, Zoning and Platting Commission

Apr. 25, 2019, City Council

GARY TEMPLEN

our Name (please print)

☐ I am in favor☒ I object

Ln, Austin, TX 78754

our address(es) affected by this application



Signature

4-6-19

Date

Daytime Telephone: 512-226-1832

Comments: The applicant proposes building 20 units per acre for a total of 600 units on 29.3 acres adjacent to single family districts, yet is proposing district type MF-4 allowing over 1,500 units on the same acreage. Is it not more appropriate to propose MF-2—a multifamily residential area located adjacent to single family neighborhoods? This is not a "centrally located area" as described in §25-2-65, nor "adjacent to the central business district". MF-4 is not warranted.

Further, the traffic impact analysis was waived based on a TIA conducted 17 years ago in 2002. Applicant estimates 4,495 vehicles to enter and exit per day directly onto three lanes of 50 MPH cross-traffic. City staff should reconsider and require a new TIA, as assumptions made 17 years ago in C14T-02-0001 likely do not reflect the true situation of Austin traffic today.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Heather Chaffin

P. O. Box 1088

Austin, TX 78767-8810